

# What “Access to Justice” Means in Ontario and Canada

Access to justice in Canada is broadly understood as the ability of every person — regardless of income, geography, identity, or legal status — to understand their rights, navigate legal processes, and obtain fair, timely, and affordable resolution of legal problems.

## Why Access to Justice Is a Priority in Canada

### 1. It Flows Directly From the Rule of Law

Canada’s justice system is built on the principle that laws must be fair, knowable, and equally accessible. If people cannot understand or use the legal system, the rule of law breaks down. The Department of Justice explicitly frames access to justice as essential to maintaining public trust and legitimacy in legal institutions.

### 2. It Is a Human Rights Obligation

Canada aligns its justice priorities with the UN Sustainable Development Goals, especially **SDG 16**, which commits countries to “provide access to justice for all”. This means Canada has both a moral and international obligation to ensure justice is equitable and inclusive.

### 3. Most Canadians Experience Legal Problems They Cannot Resolve

National research shows that everyday legal problems—housing, employment, family breakdown, debt, discrimination—affect millions of people. When unresolved, these problems escalate into:

- homelessness
- job loss
- family instability
- mental health crises
- increased pressure on police, courts, and social services

Improving access to justice reduces these downstream social and economic costs.



## 4. The System Is Not Meeting Public Needs

Canada's Action Committee on Access to Justice acknowledges that while everyone agrees justice should be accessible, "*our system struggles to meet this expectation*". This gap between expectation and reality is a major driver of reform.



## 5. Justice Must Be People-Centred, Not System-Centred

The federal government emphasizes a shift toward **people-centred justice**, meaning:

- services designed around real human needs
- accessible information
- culturally safe processes
- community-based alternatives
- digital and in-person pathways that work for diverse populations

This approach is now a core priority in the Department of Justice's national planning.



## 6. Equity for Marginalized Communities

Improving access to justice is especially critical for:

- Indigenous peoples
- Black, racialized, and newcomer communities
- people with disabilities
- rural and remote residents
- low-income individuals

The federal government identifies improving access to justice for these groups as a top priority for 2025–26.



## 7. It Strengthens Social and Economic Well-Being

When people can resolve legal issues early and fairly, communities experience:

- reduced strain on courts and police
- lower social service costs
- improved public safety
- stronger community trust
- better economic participation

# Why access to justice is not just a legal issue—it's a social and economic one.

It includes:

## 1. Meaningful Legal Information and Education

People must be able to understand their rights and obligations, and know where to go for help.

## 2. Affordable and Available Legal Services

Cost is consistently cited as one of the most significant barriers to justice across Canada.

## 3. Fair and Efficient Legal Processes

Courts and tribunals must be accessible, timely, and responsive to diverse needs.

## 4. Culturally Safe and Inclusive Justice

Particularly for Indigenous peoples, whose experiences are shaped by colonialism, systemic discrimination, and geographic isolation.

## 5. Digital and Physical Access

As legal systems shift online, equitable access to technology becomes essential.

## Unique Barriers to Access to Justice in Rural Ontario

Research on rural and remote communities in Ontario highlights a distinct set of challenges that differ from urban contexts. These barriers are structural, geographic, economic, and cultural.

### 1. Geographic Isolation and Transportation

- Long distances to courthouses, legal clinics, and service providers.
- Limited or nonexistent public transit.
- Weather and seasonal conditions further restrict mobility.
- These issues are central in the Rural & Remote Access to Justice literature review.

### 2. Poor Internet and Digital Infrastructure

- Rural households are nearly *twice as likely* to lack home internet and *ten times more likely* to report poor quality connections.
- As legal services move online, digital exclusion becomes a major barrier to justice.

### 3. Shortage of Legal Professionals

- Fewer lawyers, paralegals, and specialized services.
- Limited availability of family law, immigration law, Indigenous justice, and mental-health-informed practitioners.
- High turnover and burnout in rural service providers.

### 4. Lower Income and Higher Poverty Rates

- Rural residents often have lower incomes and less access to legal aid.
- Legal Aid Ontario eligibility thresholds remain a major barrier for low-income individuals across the province.

### 5. Complex Needs and Limited Wraparound Services

- Rural communities often lack:
  - shelters
  - mental health supports
  - addiction services
  - newcomer supports
  - youth services
- This makes legal problems more complex and harder to resolve.

### 7. Privacy Concerns in Small Communities

- People may avoid seeking help because “everyone knows everyone.”
- Fear of stigma in cases involving:
  - family violence
  - mental health
  - criminal charges
  - youth justice

### 8. Indigenous Communities Face Compounded Barriers

- Geographic isolation, colonial harms, and systemic discrimination increase barriers to justice for Indigenous families.

## Bringing It Together

Access to justice in Canada is about more than courts — it’s about ensuring people can meaningfully resolve their legal problems. In rural Ontario, the barriers are intensified by geography, digital inequity, service shortages, and socioeconomic realities. Restorative justice and other grassroots community agencies and services addresses many of these gaps: community-based solutions, culturally safe processes, and local, relationship-driven support are exactly the kinds of innovations the research calls for.